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PART III

Notifications by High Court, Advertisement, Notices and Change of Name etc.

HARYANA ELECTRICITY REGULATORY COMMISSION
BAYS NO. 33-36, SECTOR-4, PANCHKULA-134112

Notification

The 27th May, 2025

(DEVIATION, SETTLEMENT MECHANISM AND RELATED MATTERS) REGULATIONS, 2025

Regulation No. HERC/62/2025- In exercise of the powers conferred under sub-section (3) of Section 32, sub-section (4) of Section 33, Clauses (b) and (h) of sub-section (1) of Section 86, and Clauses (g) and (zp) of Section 181 of the Electricity Act, 2003 (36 of 2003), and all other powers hereunto enabling it in this behalf, the Haryana Electricity Regulatory Commission hereby makes the following regulations.

1. Short title and commencement

- (1) These regulations shall be called the Haryana Electricity Regulatory Commission (Deviation Settlement Mechanism and related matters) Regulations, 2025.
- (2) These regulations shall come into force after four (4) months of their publication in Haryana Government Gazette.

2. Definitions and Interpretations

In interpretation of these regulations, unless the context otherwise requires-

- a. 'Act' means the Electricity Act, 2003 (36 of 2003);
- b. 'Actual drawl' in a time-block means electricity drawn by a buyer, measured by the interface meters;
- c. 'Actual injection' in a time-block means electricity injected by the seller, measured by the Interface meters;
- d. 'Area Clearing Price' or 'ACP' means the price of electricity contract for a time block transacted on a Power Exchange after considering all valid buy and sale bids in a particular area(s) after market-splitting;
- e. 'Buyer' means a person, including distribution licensee or open access consumer, purchasing electricity through a transaction scheduled in accordance with the regulations applicable for short-term open access, medium-term open access and long-term open access;

- f.** **‘Commission’** means the Haryana Electricity Regulatory Commission referred to in sub-section (1) of section 82 of the Act;
- g.** **‘Contract rate’** means
- (i) in respect of such entity, whose tariff is determined or adopted or approved under Section 62 or Section 63 or Section 86(1)(b) of the Act, Rs/kWh tariff as determined or adopted or approved by the Appropriate Commission; or
 - (ii) in respect of such entity, whose tariff is not determined or adopted or approved under Section 62 or Section 63 or Section 86(1)(b) of the Act, and selling power through power exchange(s), the price as discovered in the Power Exchange for the respective transaction; or
 - (iii) in respect of a general seller selling power through open access to a third party or in case of captive consumption of a captive generating plant based on renewable energy sources, the weighted average ACP of the Integrated-Day Ahead Market segments of all Power Exchanges for the respective time block; or
 - (iv) in case of multiple contracts or transactions including captive consumption, the weighted average of the contract rates of all such contracts or transactions, as the case may be.
- h.** **‘Deviation’** in a time-block for a Seller means its total actual injection minus its total scheduled generation and for a Buyer means its total actual drawl minus its total scheduled drawl and shall be computed as per regulation 10 of these regulations;
- i.** **‘Full Open Access Consumer’** shall mean Open Access Consumer connected to transmission system or distribution system but not having any contract demand with the distribution licensee within the state;
- j.** **‘General seller’** means a seller in case of a generating unit/station (depending on unit wise or station wise tariff determination as per the HERC MYT regulations in vogue) based on resources other than wind or solar or hybrid of wind-solar resources;
- k.** **‘Grid Code’** means the Grid Code specified by the Commission under clause (h) of sub-section (1) of Section 86 of the Act.
- l.** **‘Indian Electricity Grid Code’ (or ‘IEGC’)** means the Grid Code specified by the Central Electricity Regulatory Commission under Section 79(1)(h) of the Act;
- m.** **‘Integrated Day Ahead Market’** means a market where Day Ahead Contracts are transacted on the power exchanges, including collective transactions under Day Ahead Market (DAM), Green Day Ahead Market (Green DAM), and High Price Day Ahead Market (HP-DAM);
- n.** **‘Interface meters’** means interface meters as defined by the Central Electricity Authority under the Central Electricity Authority (Installation and Operation of Meters) Regulations, 2006, as amended from time to time and any re-enactment thereof;
- o.** **‘Load Despatch Centre’** means National Load Despatch Centre, Regional Load Despatch Centre or State Load Despatch Centre, as the case may be, responsible for coordinating scheduling of the Buyers and the Sellers in accordance with the provisions of Grid Code/IEGC as the case may be;
- p.** **‘MSW seller’** means a seller in the case of a generating station based on Municipal Solid Waste and includes Refuse Derived Fuel (RDF) based MSW generating station;
- q.** **‘Normal Rate of Charges for Deviation’** means the charges for deviation (in paise/kWh) as referred to in Regulation 11 of these regulations;
- r.** **‘Open Access Regulations’** means the Haryana Electricity Regulatory Commission (Terms and conditions for grant of connectivity and open access for intra-State transmission and distribution system) Regulations, 2012 as amended from time to time and any re-enactment thereof;
- s.** **‘Partial Open Access Consumer’** shall mean Open Access Consumer connected to transmission system or distribution system and having part of his contract demand with the distribution licensee within the state;
- t.** **‘Reference Charge Rate’ or ‘RR’** means
- (i) in respect of a general seller whose tariff is determined or adopted or approved under Section 62 or Section 63 or Section 86(1)(b) of the Act, Rs/ kWh energy charge as determined or adopted or approved by the Appropriate Commission; or

- (ii) in respect of a general seller whose tariff is not determined or adopted or approved under Section 62 or Section 63 or Section 86(1) (b) of the Act, and selling power through power exchange(s), the price as discovered in the power exchange for the respective transaction; or
- (iii) in respect of a general seller selling power through open access to a third party or in case of captive consumption of a captive generating plant based on resources other than renewable energy sources, the weighted average ACP of the Integrated-Day Ahead Market segments of all the Power Exchanges for the respective time block; or
- (iv) in case of multiple contracts or transactions including captive consumption, the weighted average of the reference rates of all such contracts or transactions.
- u. 'Run-of-River Generating Station' or 'RoR generating station'** means a hydro generating station which does not have upstream pondage;
- v. 'Scheduled Generation'** or scheduled injection for a time block or any period means schedule of generation or injection in MW or MWh *ex-bus* given by the State Load Despatch Centre;
- w. 'Scheduled Drawl'** for a time block or any period means schedule of drawl in MW or MWh *ex-bus* given by the State Load Despatch Centre;
- x. 'Seller'** means a person, including a generating station, supplying electricity through a transaction scheduled in accordance with the regulations applicable for short-term open access, medium-term open access and long- term open access;
- y. 'State Deviation Pool Account'** means the Account to be maintained and operated by the State Load Despatch Centre as per Regulation 14 of these regulations for receipts and payments on account of deviations by Buyers and Sellers.
- z. 'State Entity'** means such person (beneficiary) who is in the SLDC control area and whose metering and energy accounting is done at the state level.
- aa. 'Time-block'** means the time duration for which electrical parameters and quantities are recorded by energy meter, with first time block starting at 00.00 hrs. The duration of a time block, as followed by the Northern Regional Load Despatch Centre (NRLDC) and NRPC, time to time, shall be applicable:

Provided that the Commission may revise the duration of time block from the date to be notified by it from time to time; Save as aforesaid and unless repugnant to the context or the subject-matter otherwise requires, words and expressions used in these regulations and not defined, but defined in the Act, or the Grid Code or any other regulations of this Commission shall have the meaning assigned to them respectively in the Act or the Grid Code or any other regulation.

3. Objective

- (1) The objective of these regulations is to maintain grid discipline and grid security as envisaged under the Grid Code through the commercial mechanism for Deviation Settlement for controlling drawl and injection of electricity by the users of the grid as per their schedules and dispatches within State of Haryana.
- (2) The SLDC shall make use of the flexibility provided by conventional Generating Units and the capacity of inter-Grid tie-lines to accommodate Wind and Solar energy generation to the largest extent possible subject to Grid security.

4. Applicability

These regulations shall apply to the transactions of conveyance of electricity through short- term open access or medium-term open access or long-term open access using intra State transmission system or distribution system of electricity (including inter-state wheeling of power), subject to following conditions: -

- (A) Deviation Settlement Mechanism under these Regulations shall be applicable for all General Seller(s) (GS), including Open Access Generators, Captive Generators, re-generators with capacity **10 MW** and above (excluding In-Situ Captive Generators) connected to Intra-State Transmission system or Distribution Network but excluding Wind and Solar Generating Station(s).

Provided that, Forecasting, Scheduling and Deviation Settlement related matters in respect of Wind and Solar generation shall be governed as per the provisions of the Haryana Electricity Regulatory Commission (Forecasting, Scheduling and Deviation Settlement for Solar and Wind Generation) Regulations, 2019 and its further amendments thereof.

- (B) Deviation Settlement Mechanism under these Regulations shall be applicable for all Buyer(s) including Distribution Licensee(s), Deemed Distribution Licensee(s) located in the State and Full Open Access Consumers connected to Intra-State Transmission system or Distribution Network.

Provided that, Deviation Settlement of Partial Open Access Consumers connected to Intra-State Transmission system or Distribution Network shall be in accordance with the provisions of Haryana Electricity Regulatory Commission (Terms and conditions for grant of connectivity and open access for intra-State transmission and distribution system) Regulations, 2012 and its amendment thereof.

5. Duties of State Load Despatch Centre and State entities

These Regulations aim to govern the functioning of the various State Entities in a way that discipline is maintained with regards to the injection and drawl of energy by such State Entities and the reliability and integrity of power system is maintained.

In order to meet these objectives, necessary preconditions and covenants for participation by State Entities shall be as under:

- (1) The State Entities shall inform the SLDC of all contracts they have entered into for exchange of energy.
- (2) State Entities shall operate their generating plants and loads in a manner that is consistent with the provisions of the Indian Electricity Grid Code and the Haryana State Electricity Grid Code.
- (3) State Entities shall enter into Connection Agreement/Open Access Agreement with the concerned transmission licensee, which shall specify the physical and operational requirements for a reliable operation and gain physical access and connection to the intra-State transmission system (InSTS) or enter into Connection Agreement/Open Access Agreement with concerned Distribution Licensee for use of distribution system, as the case may be in accordance with Haryana Electricity Regulatory Commission (Grid Connectivity and Intra-State Open Access Regulations), 2012, and its amendment thereof.

State Entities shall make necessary arrangements for putting up suitable meters, capable of recording energy flows in intervals of a time block, as followed by the Northern Regional Load Despatch Centre (NRLDC) and NRPC, time to time or the CEA Metering Regulations, at the points of interface. The time synchronisation of metering system shall be through Global Positioning System with counter check from the State Energy Accounting Centre which is the SLDC.

- (4) SLDC shall take all decisions prudently with regard to the despatching of stations after evaluating all possible network parameters, constraints, congestions in the transmission network and in the eventuality of any such network aberration, the instructions by the SLDC with regard to despatch and drawl shall be binding on all State Entities.

SLDC shall publish all such information as required for all other State Entities to be aware of the energy exchanges taking place within the State pool as well as exigency conditions, if any with regard to despatch of power.

6. Principles for operationalising Deviation Settlement Mechanism

The framework for Deviation Settlement Mechanism shall cover the following key design parameters.

- (a) **Scheduling Period:** The scheduling period shall comprise of 'Time-block' as defined in clause 'aa' of regulation 2 of these regulations, with first time block starting at 00.00 hrs. (IST) ending with 24:00 hours (IST). The duration of a time block, as followed by the Northern Regional Load Despatch Centre (NRLDC) and NRPC, time to time, shall be applicable:

Based on the availability schedule forecasted by Sellers and load requirement forecasted by Buyers, the SLDC shall draw up the least cost despatch schedule on Day Ahead basis for the Distribution Licensees in accordance with the merit order principles approved by State Commission from time to time;

Provided that wheeling transactions of captive users and open access consumers shall be despatched as contracted subject only to transmission constraints and system emergency conditions.

- (b) **Guiding principles for scheduling and despatch:** All the Sellers and Buyers under these Regulations shall be guided by the scheduling and Despatch procedure to be formulated by SLDC in accordance with provisions of Haryana State Grid Code.

- (c) **Deviation:** For the purposes of Deviation settlement amongst State Entities, the SLDC shall work out the Deviation for 'State Deviation Pool Account' comprising over drawl/under-drawl and over-injection and under-injection for each State Entity corresponding to each Scheduling period. Charges for deviation shall be in accordance to regulation 9 of these regulations.
- (d) **Settlement Period:** Preparation and settlement of 'State Deviation Pool Account' shall be undertaken on weekly basis coinciding with mechanism followed for regional energy accounts.
- (e) **Measurement Unit** for State Deviation Pool Account: The measurement unit for State Deviation Pool Account Volume preparation shall be kilowatt hours (kWh). Measurement unit for State Deviation Pool Account Value (Payable and Receivable) preparation shall be Indian Rupees (INR). The decimal component of the amount (INR) shall be rounded off to nearest integer value.
- (f) **Premise for Allocation of Losses:** For the purpose of State Deviation Pool accounting, intra-state transmission system losses as per MYT regulation or as approved by the Commission separately from time to time shall be allocated amongst the State Entities in proportion to the actual drawl by each State Entity as per methodology provided in MYT regulations.

Provided that State Load Despatch Centre shall maintain account of actual intra-state transmission system loss for each time block and publish reconciliation statement of 52 weekly average loss vis-à-vis approved loss by the Commission on its website. The present practice of monthly loss calculation as per provisions of the HERC MYT Regulations may be continued till weekly data of 52 weeks average losses is available or one year from the date these regulations shall come into force, whichever is earlier.

7. Scheduling

- (1) The provisions of the CERC (Indian Electricity Grid Code) Regulations, 2023 as amended from time to time shall be applicable for scheduling for all sellers and buyers except for partial Open Access Consumers for which Haryana Electricity Regulatory Commission (Grid Connectivity and Intra- State Open Access Regulations), 2012 as amended from time to time shall be applicable.
- (2) For a secure and stable operation of the grid, every state entity shall adhere to its schedule as per the Grid Code and shall not deviate from its schedule.

Provided that the revision in generation/ drawl schedule on the day of operation shall be permitted, in accordance with the provisions contained in Indian Electricity Grid Code as amended from time to time.

8. Treatment for Gaming

- (1) The Commission, either suo-moto or on a petition made by SLDC, or any affected party, may initiate proceedings against any generating company or seller on charges of gaming and if required, may order an enquiry to be made by such officer of the Commission or such other party as the Commission may deem fit. The enquiry officer so appointed shall submit his findings within such time as may be fixed by the Commission and such investigating officer or authority shall exercise all powers as envisaged under section 128 of the Act.
- (2) If in the proceeding initiated by the Commission or in the enquiry made in this regard under clause (1) above, it is proved that any generating company or seller has indulged in gaming, the Commission may without prejudice to any other action under the Act or Regulation made thereunder, disallow any charges for deviation to such seller or generating company during the period of such gaming.

9. Charges for deviations for Sellers and Buyers:

The charges for the Deviations for all the time-blocks shall be payable/receivable by the Buyer and Seller, which are State Entities, and shall be worked out as per the relevant provisions of these regulations.

10. Computation of Deviation

- (1) Deviation in a time block for general sellers shall be computed as follows:
 Deviation-general seller (*DGS*) (in MWh) = [(Actual injection in MWh) – (Scheduled generation in MWh)].
 Deviation-general seller (*DGS*) (in %) = 100 x [(Actual injection in MWh) – (Scheduled generation in MWh)] / [(Scheduled generation in MWh)].

- (2) Deviation in a time block for buyers shall be computed as follows:

Deviation- buyer (*DBUY*) (in MWh) = [(Actual drawal in MWh) – (Scheduled drawal in MWh)].

Deviation- buyer (*DBUY*) (in %) = $100 \times \frac{[(\text{Actual drawal in MWh}) - (\text{Scheduled drawal in MWh})]}{[(\text{Scheduled drawal in MWh})]}$.

11. Normal rate of charges for deviation

- (1) The Normal Rate (NR) of charges for deviation for a particular time block shall be the highest of (A), (B) or (C), where (A), (B) and (C) are as follows:
- (A) the weighted average ACP (in Paise /kWh) of the Integrated-Day Ahead Market segments of all the Power Exchanges;
 - (B) the weighted average ACP (in Paise /kWh) of the Real Time Market segments of all the Power Exchanges;
 - (C) the sum of:
 - (a) $\frac{1}{3}$ [Weighted average ACP (in paise/kWh) of the Integrated-Day Ahead Market segments of all the Power Exchanges];
 - (b) $\frac{1}{3}$ [Weighted average ACP (in paise/kWh) of the Real-Time Market segments of all the Power Exchanges]; and
 - (c) $\frac{1}{3}$ [Ancillary Service Charge (in paise/kWh) computed based on the total quantum of Ancillary Services (SRAS UP and TRAS UP) deployed and the net charges payable to the Ancillary Service Providers for all the Regions];

Provided that in case of non- availability of ACP for any time block on a given day, ACP for the corresponding time block of the last available day shall be considered.

- (2) The normal rate of charges for deviation shall be rounded off to the nearest two decimal places.

12. Charges for deviation.

- (1) Charges for Deviation, in respect of a **general seller (other than an RoR generating station and a generating station based on municipal solid waste)** shall be as under:

Deviation by way of over injection (Receivable by the Seller)	Deviation by way of under injection (Payable by the Seller)
(I) For Deviation up to [10% DGS or 100 MW, whichever is less] and f within f band	
(i) @ RR when [49.97 Hz $\leq f \leq$ 50.03 Hz]	(iv) @ RR when [49.97 Hz $\leq f \leq$ 50.03 Hz]
(ii) When [50.03 Hz < $f \leq$ 50.05 Hz], for every increase in f by 0.01 Hz, charges for deviation for such seller shall be reduced by 25% of RR so that charges for deviation become 50% of RR when $f = 50.05$ Hz	(v) When [50.03 Hz < $f \leq$ 50.05 Hz], for every increase in f by 0.01 Hz, charges for deviation for such seller shall be reduced by 7.5% of RR so that charges for deviation become 85% of RR when $f = 50.05$ Hz
(iii) When [49.97 Hz > $f \geq$ 49.90 Hz], for every decrease in f by 0.01 Hz, charges for deviation for such seller shall be increased by 2.15% of RR so that charges for deviation become 115% of RR when $f = 49.90$ Hz	(vi) When [49.97 Hz > $f \geq$ 49.90 Hz], for every decrease in f by 0.01 Hz, charges for deviation for such seller shall be increased by 7.15% of RR so that charges for deviation becomes 150% of RR when $f = 49.90$ Hz
(II) For Deviation up to [10% DGS or 100 MW, whichever is less] and f outside f band	
(i) @ zero when [50.05 Hz < $f <$ 50.10 Hz]: Provided that such seller shall pay @ 10% of RR when [$f \geq$ 50.10 Hz]	(iii) @ 85 % of RR when [$f >$ 50.05 Hz]
(ii) @ 115 % of RR when [$f <$ 49.90 Hz]	(iv) @ 150 % of RR when [$f <$ 49.90 Hz]

(III) For Deviation beyond [10% DGS or 100 MW, whichever is less] and f within and outside f band	
(i) @ zero when ($f < 50.10$ Hz): Provided that such seller shall pay @ 10% of RR when [$f \geq 50.10$ Hz]	(ii) @ RR when [$f \geq 50.00$ Hz]; (iii) @ 150% of RR when [$49.90\text{Hz} \leq f < 50.00$ Hz]; and (iv) @ 200% of RR when [$f < 49.90$ Hz]

Note: System frequency $=f$ and f band = [$49.90\text{Hz} \leq f \leq 50.05\text{Hz}$]

D_{GS} means Deviation-general seller (in %);

- (2) Charges for Deviation, in respect of a **general seller being an RoR generating station**, shall be **without any linkage to grid frequency**, as under:

Deviation by way of over injection (Receivable by the Seller)	Deviation by way of under injection (Payable by the Seller)
(i) @ RR for deviation up to [15% DGS or 150 MW, whichever is less]; (ii) @ Zero for deviation beyond [15% DGS or 150 MW, whichever is less]	(iii) @ RR for deviation up to [15% DGS or 150 MW, whichever is less]; (iv) @ 105% of RR for deviation beyond [15% DGS or 150 MW, whichever is less] and up to [20% DGS or 200 MW, whichever is less]; (v) @ 110% of RR for deviation beyond [20% DGS or 200 MW, whichever is less].

- (3) Charges for Deviation, in respect of a **general seller being a generating station based on municipal solid waste**, shall be **without any linkage to grid frequency**, as under:

Deviation by way of over injection (Receivable by the Seller)	Deviation by way of under injection (Payable by the Seller)
(i) @ contract rate for deviation up to [20% DGS]; (ii) @ Zero for deviation beyond [20% DGS];	(iii) @ contract rate for deviation up to [20% DGS]; (iv) @ 110% of contract rate for deviation beyond [20% DGS].

- (4) Charges for Deviation, in respect of a Standalone Energy Storage System (ESS), shall be the same as applicable to a **general seller (other than an RoR generating station and a generating station based on municipal solid waste)** as specified in Clause (1) of this Regulation:

Provided that in the charging mode, deviation by way of over drawal shall be treated as under injection and deviation by way of under drawal shall be treated as over injection and the charges for deviation shall be settled accordingly:

- (5) Charges for Deviation, in respect of a **Buyer**, shall be receivable or payable as under:

Deviation by way of under drawal (Receivable by the Buyer)	Deviation by way of over drawal (Payable by the Buyer)
(I) For VLB (1) and f within f band	
i) @ 90% of NR When $f = 50.00$ Hz;	iv) @ NR when $f = 50.00$ Hz;
ii) When $50.00\text{ Hz} < f \leq 50.05\text{ Hz}$, for every increase in f by 0.01 Hz, charges for deviation for such buyer shall be decreased by 8% of NR so that charges for deviation become 50% of NR when $f = 50.05\text{Hz}$;	v) When $50.00 < f \leq 50.05\text{ Hz}$, for every increase in f by 0.01 Hz, charges for deviation for such buyer shall be decreased by 5% of NR so that charges for deviation become 75% of NR when $f = 50.05\text{Hz}$;
iii) When [$50.00\text{ Hz} > f \geq 49.90\text{ Hz}$], for every decrease in f by 0.01 Hz, charges for deviation for such buyer shall be increased by 1 % of NR so that charges for deviation become 100% of NR when $f = 49.90\text{Hz}$;	vi) When [$50.00\text{ Hz} > f \geq 49.90\text{ Hz}$], for every decrease in f by 0.01 Hz, charges for deviation for such buyer shall be increased by 5% of NR so that charges for deviation become 150% of NR when $f = 49.90\text{Hz}$.

(II) For VLB (1) and f outside f band	
(i) @ zero when $[50.05 \text{ Hz} < f < 50.10 \text{ Hz}]$: Provided that such buyer shall pay @ 10% of NR when $[f \geq 50.10 \text{ Hz}]$;	(iii) @ 50% of NR when $[50.05 \text{ Hz} < f < 50.10 \text{ Hz}]$: (iv) @ zero when $[f \geq 50.10 \text{ Hz}]$;
(iii) @ NR when $[f < 49.90 \text{ Hz}]$;	(iv) @ 150 % of NR (v) when $[f < 49.90 \text{ Hz}]$.
(III) For VLB (2) and f within and outside f band	
(i) @ 80% of NR when $f \leq 50.00 \text{ Hz}$; (ii) @ 50% NR when $[50.00 \text{ Hz} < f \leq 50.05 \text{ Hz}]$; (iii) @ zero when $[50.05 \text{ Hz} < f < 50.10 \text{ Hz}]$: Provided that such buyer shall pay @ 10% of NR when $[f \geq 50.10 \text{ Hz}]$;	(iv) @ 150% of NR when $f < 50.00 \text{ Hz}$; (v) @ NR when $[50.00 \text{ Hz} \leq f \leq 50.05 \text{ Hz}]$; (vi) @ 75% NR when $[50.05 \text{ Hz} < f < 50.10 \text{ Hz}]$; (vii) @ zero when $[f \geq 50.10 \text{ Hz}]$.
(IV) For VLB (3) and f within and outside f band	
(i) @ zero when $f < 50.10 \text{ Hz}$: Provided such buyer shall pay @ 10% of NR when $[f \geq 50.10 \text{ Hz}]$;	(ii) @ 200% of NR when $f < 50.00 \text{ Hz}$; (iii) @ NR when $[50.00 \text{ Hz} \leq f < 50.10 \text{ Hz}]$ (iv) @ 50% of NR when $[f \geq 50.10 \text{ Hz}]$.

Note: Volume Limits for Buyer:

Buyer Volume Limit

Buyer other than (the buyer with a schedule less than 400 MW)

VLB (1) = Deviation up to [10% DBUY or 100 MW, whichever is less]

VLB (2) = Deviation [beyond 10% DBUY or 100 MW, whichever is less] and up to [15% DBUY or 200 MW, whichever is less]

VLB (3) = Deviation beyond [15% DBUY or 200 MW, whichever is less]

Buyer (with a schedule up to 400 MW)

VLB (1) = Deviation [20% DBUY or 40 MW, whichever is less]

VLB (2) = Deviation beyond [20% DBUY or 40 MW, whichever is less]

- (6) The charges for deviation by way of injection of infirm power shall be zero:

Provided that if infirm power is scheduled after trial run as specified in the Grid Code, the charges for deviation over the scheduled infirm power shall be as applicable for a general seller.

Provided further that when the system frequency, $f > 50.05 \text{ Hz}$, the charges for deviation of scheduled infirm power by way of over injection by a general seller shall be zero.

- (7) The charges for deviation for drawal of start-up power before the COD of a generating unit or for drawal of power to run the auxiliaries during the shut- down of a generating station shall be payable at the reference charge rate or contract rate or in the absence of reference charge rate or contract rate, the weighted average ACP of the Day Ahead Market segments of all Power Exchanges for the respective time block, as the case may be.
- (8) Notwithstanding anything contained in Clauses (1) to (7) of this Regulation, in case of forced outage or partial outage of a seller, the charges for deviation shall be @ the reference charge rate for a maximum duration of eight-time blocks or until the revision of its schedule, whichever is earlier.
- (9) For a Seller whose bids are cleared in the HP-DAM, the 'reference charge rate' for deviation by way of 'under-injection' for the quantum of power sold through HP-DAM shall be equal to the weighted average ACP of the HP-DAM Market segments of all the Power Exchanges for that time block;

13. State Energy Account

- (1) The State Load Despatch Centre shall prepare the statement of State Energy Account for each time block for sellers and buyers on monthly basis. Data required for billing of open access consumers shall be passed on to the billing centre of the distribution licensee by the SLDC. The billing centre of the distribution licensee shall be responsible for energy accounting, raising and settlement of bills with open access consumers. Payments of capacity and energy charges by the buyers to the sellers shall be as per the provisions in the respective power purchase agreements or agreement(s) with respect to transactions through power exchange and through Short Term Open Access, as the case may be.
- (2) Energy Account Statement for Deviation Settlement of Partial Open Access Consumers connected to Intra-State Transmission system or Distribution Network shall be in accordance with the provisions of Haryana Electricity Regulatory Commission (Terms and conditions for grant of connectivity and open access for intra-State transmission and distribution system) Regulations, 2012 and its amendment thereof.
- (3) The State Load Despatch Centre shall be responsible for preparation of weekly (every Thursday) deviation charges statement for all State Entities and billing and collection of deviation charges from the State Entities in accordance with regulation 10 of these Regulations. For preparation of weekly DSM Account statement, SLDC shall consider frequency as considered by NRPC in the DSM Statement issued to Haryana state, as available on NRPC website or as declared by NRPC on its website(s).
- (4) A detailed energy accounting procedure shall be prepared by SLDC within three months of notification of these regulations under intimation to the Commission.

Provided that SLDC shall undertake stakeholders consultation by uploading the draft procedure on SLDC's website before finalization of the procedure.

14. Accounting of Charges for Deviation

- (A) A statement of Charges for Deviations levied under these Regulations shall be prepared by SLDC on weekly basis by the Thursday of the week and shall be issued to all constituents by next Tuesday, for seven-day period ending on the penultimate Sunday mid- night.
- (B) All payments on account of Charges for Deviation levied under these Regulations and interest, if any, received for late payment shall be credited to the funds called the "State Deviation Pool Account", which shall be maintained and operated by the State Load Despatch Centre in accordance with provisions of these regulations.

Provided that the Commission may by order direct any other entity to operate and maintain the Deviation Pool Account.

- (C) The State Deviation Pool Account shall receive credit for:
payments on account of charges for deviation referred to in Regulation 10 of these regulations and the late payment surcharge as referred to in clause (a) of Regulation 15 of these regulation;
Any other charges as may be notified by the Commission.
- (D) The State Deviation Pool Account shall be charged for:
 - (a) payment to seller for over injection as referred to in clause (1) of Regulation 12 of these regulations;

- (b) payment to buyer for under drawl as referred to in clause (5) of Regulation 12 of these regulations;
- (c) Such other charges as notified by the commission;
- (E) Separate books of accounts shall be maintained for the principal component and interest component of charges for deviation by the SLDC
- (F) The State Entities shall comply with statutory requirements of payment of applicable statutory levies, including but not limited to Goods and Service Tax (GST), Tax deduction at source (TDS)
- (G) The State Entities shall facilitate SLDC in meeting with reporting requirements of Statutory Authorities, as necessary.
- (H) All payments received in the “State Deviation Pool Account” shall be appropriated in the following sequence:
 - i. First towards any cost or expense or other charges incurred on recovery of Charges for deviation.
 - ii. Next towards over dues or penal interest, if applicable.
 - iii. Next towards normal interest.
 - iv. Next dues towards Regional Deviation Pool Account
 - v. Lastly, towards charges for deviation.

Provided that

“90% amount of surplus funds in the State Deviation Pool Account at the end of the financial year shall be utilised for the purpose of improvements in power system operations, for undertaking such measures and studies for improvement in reliability, security and safety of grid operations, undertaking capacity building and training programs related to system operations and market operations and for such other purposes as may be specified by Commission or for other schemes as may be devised in consultation with National Load Despatch Centre, or Regional Load Despatch Centre, with prior approval of the Commission. Provided that, the short fall in funds in the State Deviation Pool Account; if any, at the end of the weekly settlement period shall be recovered by levy of additional charge from the State Entities in proportion to Net Deviation Charges Payable by concerned State Entity for the applicable weekly settlement period through supplementary bills. Provided further that SLDC shall prepare scheme(s) and shall submit annual plan for utilisation of surplus funds and implement the scheme(s) only upon approval of the Commission.”

15. Schedule of Payment of charges for deviation

- (a) The payment of charges for deviation shall have a high priority and the concerned entity shall pay the due amounts within 7 (seven) days of the issue of statement of charges for deviation by the SLDC, failing which late payment surcharge @ 0.04% shall be payable for each day of delay.
- (b) Any entity which at any time during the previous financial year fails to make payment of charges for deviation within the time specified in these regulations, shall be required to open a Letter of Credit (LC) equal to 110% of their average payable weekly liability for deviations in the previous financial year in favour of the State Load Despatch Centre within a fortnight from the start of the current financial year.

Provided that –

- i. If any State entity fails to make payment of Charges for Deviation by the time specified in these Regulations during the current financial year, it shall be required to open a Letter of Credit equal to 110% of weekly outstanding liability in favour of State Load Despatch Centre within a fortnight from the due date of payment.
- ii. LC amount shall be increased to 110% of the payable weekly liability for Deviation in any week during the year, if it exceeds the previous LC amount by more than 50%.
- (c) In case of failure to pay into the Deviation Pool Account within 7 (seven) days from the date of issue of statement of charges for deviation, the State Load Despatch Centre shall be entitled to encash the LC of the concerned entity to the extent of the default and the concerned entity shall recoup the LC amount within 3 days.

16. Governance Structure and constitution of State Power Committee

- (a) Within three months from date of notification of these Regulations, the State Load Despatch Centre shall formulate Operating Procedures and Business Rules for constitution of State Power Committee, which shall be approved by the State Commission.
- (b) The State Power Committee shall:
 - i. Co-ordinate and facilitate the intra-state energy exchange for ensuring optimal utilisation of resources.
 - ii. Monitor compliance of these Regulations by State Entities.
 - iii. Guide the SLDC for modification of Procedure(s) in order to address the implementation difficulties, if any.
 - iv. Provide necessary support and advice to the Commission for suitable modifications/issuance of Operating Procedures, Practice Directions, and amendment to provisions of this regulations, as may be necessary upon due regulatory process.

17. Repeal and Savings

- (1) Save as otherwise provided in these regulations, the Haryana Electricity Regulatory Commission (Deviation Settlement Mechanism and related matters) Regulations, 2019 shall stand repealed from the date of commencement of these Regulations.
- (2) Notwithstanding such repeal, anything done or any action taken or purported to have been done or taken including any procedure, minutes, reports, confirmation or declaration of any instrument executed under the repealed regulations shall be deemed to have been done or taken under the relevant provisions of these regulations.

18. Power to amend

The Commission may, at any time, vary, alter, modify or amend any provisions of these Regulations.

19. Power to remove difficulties

If any difficulty arises in giving effect to the provisions of these Regulations, the Commission may, by general or specific order, make such provisions not inconsistent with the provisions of the Act, as may appear to be necessary for removing the difficulty.

20. Power to relax

The Commission may by general or special order, for reasons to be recorded in writing, and after giving an opportunity of hearing to the parties likely to be affected by grant of relaxation, may relax any of the provisions of these Regulations on its own motion or on an application made before it by an interested person.

21. Power to issue directions

If any difficulty arises in giving effect to these Regulations, the Commission may on its own motion or on an application filed by any affected party, issue such directions as may be considered necessary in furtherance of the objective and purpose of these Regulations.

Dated: 27/05/2025

Place: Panchkula

By the order of the Commission

(Sd.)...,
Secretary,
HERC, Panchkula.

[1132-1]